

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption in Compliance with D.N.J. LBR 9004-1(b)	
PORZIO, BROMBERG & NEWMAN, P.C. 1675 Broadway, Suite 1810 New York, New York 10019 (646) 348-6723 Brett S. Moore, Esq. (bsmoore@pbnlaw.com) Dean M. Oswald, Esq. (dmoswald@pbnlaw.com) (<i>pro hac vice admission pending</i>) <i>Counsel for Englewood Construction, Inc.</i>	
In re:	Chapter 11
BED BATH & BEYOND INC., <i>et al.</i> ,	Case No. 23-13359 (VFP)
Debtors.	(Jointly Administered)

APPLICATION FOR AN ORDER SHORTENING TIME

The Applicant, Englewood Construction, Inc. (“Englewood”), by and through its undersigned counsel, requests that the time period for the *Motion of Englewood Construction Inc., For Relief From the Automatic Stay* [D.I. 1696] (the “Motion”) be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1), for the reason(s) set forth below:

In support of this Motion to Shorten, Englewood respectfully states as follows:

1. A hearing on shortened time is requested because: As set forth in the Motion, under the relevant Virginia statute, Englewood is required to file its Mechanics Lien action within six months of the time it recorded its Mechanics Lien¹. VA ST § 43-17.

2. Englewood recorded its Mechanics Lien recorded on February 14, 2023, and thus, is required to file the Virginia Action withing six months of that date, i.e., before August 14, 2023.

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

3. Given that Englewood must commence its actions in Virginia before August 14, 2023, the normal notice period for motions will not result in the Motion being heard by the Court prior to Englewood's deadline to commence the Virginia Action.

4. Additionally, as explained in the Motion, the Debtors have already rejected the Lease for the Premises, and the relief sought by Englewood in the Motion is simply the ability to name one or more of the Debtors as a defendant in its action to enforce its Mechanics Lien to comply with relevant Virginia law, but no claims will be asserted against the Debtors.

5. Hearing date requested: August 8, 2023 at 10:00 a.m. (EST).

6. Reduction of the time period is not prohibited under Fed. R. Bankr. P 9006(c)(1).

WHEREFORE, Englewood requests entry of the proposed order shortening time.

Dated: August 1, 2023

Respectfully submitted,

PORZIO, BROMBERG & NEWMAN, P.C.
Counsel for Englewood Construction, Inc.

By: /s/ Brett S. Moore
Brett S. Moore, Esq.
Dean M. Oswald, Esq. (*pro hac vice*
admission pending)
1675 Broadway, Suite 1810
New York, New York 10019
(646) 348-6723
Email: bsmoore@pbnlaw.com
dmoswald@pbnlaw.com